

**Executive Committee for Highway Safety
Speed Working Group
Meeting Minutes; Mtg. #7
March 17, 2005**

Location:

Triangle Transportation Management Center, Trenton Road @ 1:00 p.m.

Committee Members in Attendance:

Kevin Lacy	Joe Geigle	Sgt. Moore	Charlie Jones
Doug Robertson	Cpt. Haggist	Haywood Daughtry	Ron Hughes
Ron Allen			

Scribe:

Cliff Braam

Minutes:

- The meeting began at approximately 1:05 p.m.

Task I – Old Business

NO NEED 2 SPEED

Kevin gave the group an overview of the No Need 2 Speed Campaign.

- Program will involve special speed enforcement on the selected roads, special signing and media campaigns. Each component of the program will be evaluated.
- Program will utilize incentive grant money; approximately \$250,000 - \$300,000.
- Program will run July 1, 2005 – July 14, 2005.
- Two primary areas of focus; Southeast N.C. and the Sand Hills region.
- Will be working with the district attorneys in these areas to try and ensure that speeding citations written under this campaign are not plea bargained or lesser charges.
- Citations will be marked as occurring in the campaign area for easy recognition by the district attorneys.
- Will be identifying approximately 30 routes in these areas to target. These will consist of all route types, but will not include low volume roads.
- The Traffic Safety Unit of DOT will be evaluating the program.
- Will be utilizing approximately the same number of control sites for the evaluation component of the project.

SAFE SPEED ACT DISCUSSIONS W/ DISTRICT ATTORNEYS

Kevin - 2 Retired D.A.

Kevin has been unable to get in touch with either of the D.A.s that he was to talk to. He will continue to try to schedule a meeting.

Doug – Jim Harden

Doug has not been able to get in contact with Mr. Harden. He will continue to try.

Charlie – Mecklenburg Co. D.A.; Bruce Liley

- In Mecklenburg County, they are using an administrative type set up for the first court appearance. This date is the first appearance in court and is the date provided on the citation. This where issues such as compliance dismissals are handled and the defendant can request a trial date if needed.
- Processing 500-600 defendants a day.
- Lawyers can appear on behalf of their clients.
- Speeding citations must compete with all other issues for court time, therefore the attorneys are looking to plea these in an effort to move them out of the system.
- One problem they face is the officers failing to show up (automatic case dismissal) for a variety of reasons; on vacation, in training, transferred to other areas, etc.
- Bruce would like to see more speeding cases go to trial in an effort to send a message to the public.
- Not enough court time or resources. 4,600 DUI cases annually in Mecklenburg. Takes an average of 25 minutes per case or 1,900 hours a year.
- Does not like the Safe Speed Act because:
 - Violates defendants right to appeal,
 - Judges do not like sentencing guidelines/restrictions/mandates.

Suggestions:

- South Carolina handles speeding citations by magistrate.
- Eliminate the constitutional right to appeal for speeding citations.
- Require the person cited to show up in court.
- Create special court set just for speeding citations. Estimated cost of approximately \$100,000 per year.

Captain Haggist – Gaston D.A.; Michael Lands

- Mr. Lands expressed many of the same concerns as Mr. Liley.
- Thinks that the Safe Speed Act would increase the number of trials. Take away all other options from the defendant and force them to play the system and take the matter to the extremes. No repercussions for doing so and they have nothing to lose.
- Judges do not like to be pinned down to guidelines.

Haywood – Johnston, Lee and Harnett D.A.; Tom Lock

- Tom did not have a problem with the Safe Speed Act.
- Suggested that it be sent to the conference of District Attorneys for further review and comments.

REVISED HOUSE BILL 135 – MOTOR VEHICLE ACCIDENT IMPACT FEES

- Kevin handed out a revised version of the subject house bill that modified the bill to include all law enforcement agencies, instead of just the State Patrol, and removed the criteria that limited the assessed fee only to incidents involving a violation of the aggressive driving statute.

- The group agreed with the changes.
- Kevin will talk to the ECHS to see if we should approach the sponsor, Representative Capps, about incorporating the changes.

REVOKED LICENSE & IMPROPER EQUIPMENT VIOLATIONS

- Kevin checked with the DMV to see if improper equipment violations could be added to a driving record and to see how various scenarios of revoked license could be differentiated on the driving record.
- DMV does not handle this part of the process. Instead, it goes through the Administrative Office of the Courts (AOC).
- Due to past experiences with AOC, it was determined that these would not be easy changes to get made. AOC typically is not open to changes.

STRATEGY - COURT COST FOR COMPLIANCE DISMISSALS

Will Garner was supposed to have drafted the above strategy for review by the group and have sent it out prior to the meeting. The strategy has not been sent and Will was not at the meeting.

UPDATE ON “TARGET CMV ENFORCEMENT” STRATEGY

Ron H. was supposed to have investigated whether the NC Trucking Association would support this strategy as well as explore possible funding sources that could be utilized for the project and the evaluation. Ron did not have a chance to do this. He will look into it and report back at the next meeting.

HIGHWAY SAFETY CORRIDORS

Joe did some research on what other states have done in the way of designated Highway Safety Corridors. Listed below is a summary of his findings.

- **Virginia**
 - Enacted May 2003 (SB 10093)
 - The Commissioner established a criteria for the designation and evaluation of highway safety corridors
 - Crashes per mile must exceed 150% of regional average (weighted by severity)
 - Crash Rate must exceed 125% of regional average
 - Truck Involved crash rate must exceed regional average
 - Fines will be no more than \$500 for traffic infractions and not less than \$200 for any violation which is a criminal offense.
 - Annual report on effectiveness
 - Corridors include 15 miles of I-81 (designated in Jan. '04) and 13 miles of I-95 (designated in Jan. '05)
 - 437 citations on I-81 in first 2.5 months
 - Injury crashes on I-81 are considerably lower for Jan-Mar of 2004 than in the same time period over the past 4 yrs.

- Awaiting more info from counterpart in VA.

- **Pennsylvania**
 - Enacted October 2004 (Legislative Act 229 of 2002)
 - Violations eligible for double fines include speeding, reckless driving, careless driving and driving under the influence of alcohol or controlled substance.
 - In order to be designated, the following conditions must be satisfied:
 - A crash analysis of candidate locations indicates that, for the preceding 5 years, crashes related to targeted driving behaviors exceeds thresholds for the number of crashes or the rate of crashes for homogeneous roadways as determined by the Department.
 - The corridor meets the geometric requirements needed to allow for safe patrolling by law enforcement officers as well as a safe area to stop violators for the issuance of a traffic citation or warning.
 - The corridor has adequate space for the installation of the traffic signs specified.
 - There is a written commitment from the local and state law enforcement agencies responsible for highway patrol along the corridor to provide visible, sustained enforcement activity within the limits of the marked corridor.
 - Basically changed the legislation that allowed double fines in designated work zones to include double fines in designated safety corridors.
 - I believe 6 corridors have been marked including 5.5 miles of I-81
 - Still waiting for more info from my counterpart in PA.

- **New Jersey**
 - Enacted in July 2003 (see copy of legislation – A3527)
 - Authorizes Commissioner of Transportation to designate segments as “Safe Corridors” based on crash rates, fatalities, volume, etc.
 - Fines are double for certain vehicle violations committed in corridor
 - Law also increases minimum fines for certain commercial motor vehicle equipment violations and requires completion of a commercial driver’s improvement program to restore a suspended commercial driver’s license. It also increases fines for out-of-state overweight trucks.
 - 50% of all “safe corridor” fines go into a new Highway Safety Fund that will be used exclusively for highway safety projects and programs. Approximately \$500,000 in fund today.
 - Program also includes \$20 million in highway safety improvements.
 - 13 corridors that had a total of 130 fatalities in 2001 are currently designated as “Safe Corridors.”
 - Public doesn’t really understand the program – they think that since the corridor is signed/labeled a “Safe Corridor” that they are therefore safe.
 - In terms of crashes, preliminary data shows that they haven’t seen the reduction in crashes they were hoping for.

Task II – What’s Next?

See Action Items below.

- The meeting was adjourned at 3:15 p.m.

Action Items:

Name	Item
Kevin	Talk with retired D.A.s about the Safe Speed Act
Kevin	Talk with David King about HB 135 – Next Step
Doug	Talk with Jim Harden about the Safe Speed Act
Doug	Review AOC printout to see if “Improper Equipment” violations are being captured.
Cpt. Haggist	Explore possibility to see if General Statue can be revised to remove “Improper Equipment” as a way of reducing speeding citations.
Will	Draft strategy for Court Cost for Compliance Dismissals and send to the group for review prior to the next meeting.
Ron H.	Discuss the “Target CMV Enforcement” strategy with the NC Trucking Association and get their input/feedback. Also explore possible funding sources (MCSAP).

NEXT MEETING: TBD